



PDC NEWS

711 Capitol Way, Room 206
Olympia Washington

Public Disclosure Commission

Christine Yorozu, Chair
Gerry Marsh, Vice-Chair
Lois Clement, Secretary
Susan Brady, Commissioner
Mike Connelly, Commissioner

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Enforcement Matters

I. The Commission unanimously recommended that the Attorney General file suit in Superior Court against Permanent Offense (Initiative political committee), Tim Eyman and Suzanne Karr for multiple apparent violations of the Public Disclosure Act. The members agreed on the following:

Tim Eyman appears to have violated RCW 42.17.120 by concealing the purpose of campaign expenditures; RCW 42.17.125 by expending campaign funds for personal use; RCW 42.17.065 for failure to maintain campaign records; RCW 42.17.080 and .090 for failure to report in-kind contributions and RCW 42.17.780 for reimbursing himself for campaign contributions.

Suzanne Karr appears to have violated RCW 42.17.120 by concealing the purpose of campaign expenditures and RCW 42.17.080 and .090 for failure to report in-kind contributions and failure to report orders placed, debts, and obligations.

Permanent Offense PAC for apparent violations of RCW 42.17.080 and .090 for failure to report in-kind contributions and failure to report orders placed, debts, obligations; RCW 42.17.065 for failure to maintain campaign records; RCW 42.17.040 and .050 for failure to designate and report Tim Eyman as treasurer; and RCW 42.17.780 for reimbursing Tim Eyman for contributions.

Commission members cited the lack of adequate penalty authority as the main reason for referring the case to the Attorney General for civil action.

II. The Commission took no action on staff recommendations alleging the **National Education Association** (NEA) violated RCW 42.17.760 by using agency shop fees to influence an election without first obtaining affirmative authorization and RCW 42.17.040 for failure to register the NEA's Ballot Measure/Legislative Crisis and Media Campaign Fund as a political committee. Commission action was pre-empted when the Evergreen Freedom Foundation filed a citizen action suit in Thurston County Superior Court alleging the same violations.

III. The Commission assessed a \$1,000 civil penalty to **SeaTac Fire Chief Jim Downs** for violating RCW 42.17.130 by authorizing the use of the public resources of the City of SeaTac Fire Department to assist the 2000 campaign of Geoff Simpson for the State Legislature.

Advisory Matter

The Commission staff will review the possibility of establishing additional guidelines for disclosing joint fund raising activity that includes federal candidates, state political parties and state candidates and report findings to the Commission at the June 18, 2002 meeting. The review was in response to a citizen inquiry.

Rule Making Activity

The Commission voted unanimously to proceed with the rule making process on the following draft rules:

- X Repeal WAC 390-17-011 Caucus of the state legislature – Definition
- X Amend WAC 390-16-050 Forms for contributions and expenditures of political committees not domiciled in Washington state
- X Amend WAC 390-16-055 Filing reports for nonreporting committees
- X Amend WAC 390-16-060 Forms for report of independent expenditures
- X Adopt WAC 390-18-025 Independent Expenditure Political Advertising – Identification of “top five contributors”
- X Amend WAC 390-17-030 Sample ballots and slate cards
- X Amend WAC 390-17-060 Exempt activities – Definitions, reporting

A public hearing will be held on May 21, 2002 and, if the proposed rules are adopted, they would go into effect by June 30, 2002.

Reporting Modifications

The Commission granted a partial reporting modification to **Kevin Quigley**, candidate for Snohomish County Executive, from reporting business customers of Everett Shipyard, Inc. a corporation of which he is President.

William H. Gates was also granted a renewal of a previous reporting modification with minor changes to include an exemption from reporting the business and other governmental customers of United Way of America a charity of which he is a board member.

The Commission renewed without change the following reporting modifications:

- X **William Baker**, Judge, Division I, Court of Appeals
- X **Richard Baldwin**, School Director, Northshore School District #417
- X **Orlan Gessford**, School Director, Washougal School District #112-6
- X **Sarah “Sally” Jewell**, Regent, University of Washington
- X **David Lamb**, Trustee, The Evergreen State College
- X **Isabelle Lamb**, Port Commissioner, Port of Grays Harbor
- X **Arch Miller**, Commissioner, Port of Vancouver
- X **Kevin Raymond**, Trustee, Western Washington University
- X **Elizabeth Verhey**, Judge, Tacoma Municipal Court
- X **Washington State School Directors’ Association**
- X **Grace Yuan**, Trustee, Western Washington University
- X **Cindy Zehnder**, Regent, University of Washington

The Commission meeting materials may be found at www.pdc.wa.gov under **Commission Meetings** at **Meeting Agendas and Materials**. For additional information concerning these issues contact Doug Ellis, Director of Public Outreach, at (360) 664-2735, toll free 1-877-601-2828 or e-mail at dellis@pdc.wa.gov .